

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Shunpei Yamazaki et al.)
)
Serial No.: 09/848,642)
)
Filed: May 3, 2001)
)
Examiner: Andrew Schechter)
)
Art Unit: 2871)
)
For: Electro-Optical Device With Light Shielding)
Portion Comprising Laminated Colored)
Layers, Electrical Equipment Having The)
Same, Portable Telephone Having The Same)
)
Confirmation No. : 7227)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE I (AFTER FINAL)

Dear Sirs:

Applicants have the following response to the Final Rejection of June 5, 2007.

Claim Rejections - 35 USC §102

In the Final Rejection, the Examiner continues to reject Claims 21-24, 76, 77 and 85-100 under 35 USC §102(e) as being anticipated by Yamazaki et al. (US 7,023,021). This rejection is respectfully traversed.

It is respectfully submitted that Yamazaki is not prior art to the present application.

More specifically, Yamazaki issued on April 4, 2006 based on a U.S. filing date of February 2, 2001.

The present application claims priority under 35 USC §119 of Japanese patent application serial number 2000-140960 filed May 12, 2000 in Japan. A certified copy of this priority Japanese application was filed May 3, 2001 with the filing of this U.S. application.

Previously, Applicants advised the Examiner that Applicants are preparing a verified English translation of Japanese patent application serial number 2000-140960 and will submit it as soon as it is finished. The Examiner states, however, that as of 1 June 2007, the verified translation had not been received by the Examiner. The Examiner then issued this Final Rejection.

Applicants electronically filed the verified English translation of Japanese patent application serial number 2000-140960 on June 11, 2007, completing the necessary requirements for the §119 priority claim.

Hence, as verified English translation of the priority document has now been filed and Applicants §119 priority claim finalized, and as the §119 priority filing date of the present application is prior to the U.S. filing date of Yamazaki, Yamazaki is not prior art to the present application.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this response, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: June 26, 2007

/Mark J. Murphy/
Mark J. Murphy
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer No. 26568